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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WASHINGTON C. MONTANO,

Plaintiff,

v.

CESAR L. SINNACO, M.D., et al.,

Defendants.

C 04 0543 CW (PR)

**JOINT REQUEST FOR CONTINUANCE
OF CASE MANAGEMENT CONFERENCE
AND ~~PROPOSED~~ ORDER**

CMC Date: Sept. 19, 2012
Time: 2:00 p.m.
Courtroom: 2, 4th Floor
Judge: Hon. Claudia Wilken
Trial Date: None
Action Filed: Feb. 9, 2004

The parties filed a Case Management Conference Statement on May 2, 2012 (Document 132), and a Joint Request for Continuance of Case Management Conference and Proposed Order on July 12, 2012 (Document 133). Pursuant to these requests, the Court continued the Case Management Conference to September 19, 2012 to allow time to complete settlement.

The significant change in status at this time is that an orthopedic consult has occurred pursuant to the terms of the settlement. However, due to a delay relating to the payment of settlement funds, the terms of settlement have not been completed. The Defendant expects the payment of settlement funds to be complete by the end of December 19, 2012, at which time a stipulation for dismissal will be filed.

Accordingly, the parties jointly request and stipulate to a continuance of the Case Management Conference to December 19, 2012.

I, Christopher O'Connor, declare, under penalty of perjury under the laws of the United States of America, that defendant's counsel Jeff. R. Vincent has concurred in the filing of this document.

Dated: Sept. 12, 2012

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
TYLER B. PON
Supervising Deputy Attorney General

/s/
JEFF R. VINCENT
Deputy Attorney General
Attorneys for Defendant Cesar L. Sinnaco

Dated: Sept. 12, 2012

BINGHAM McCUTCHEN LLP

/s/
Christopher M. O'Connor
Attorneys for Plaintiff
Washington C. Montano

ORDER

For good cause appearing, the Case Management Conference, previously set for Wednesday, September 19, 2012, is continued to Wednesday, December 19, 2012, at 2:00 p.m., in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland, CA 94612.


District Court Judge